12 CONDITIONS OF DISCLOSURE

- General Disclosure Prohibition: "No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains."

TWELVE EXCEPTIONS

- (b)(1) – Disclosure to officers and employees of the agency which maintains the record who have a NEED TO KNOW in the performance of their duties.
- (b)(2) – Required by FOIA
- (b)(3) – Pursuant to a Routine Use
- (b)(4) – Bureau of Census

TWELVE EXCEPTIONS

- (b)(5) – Statistical research or reporting
- (b)(6) – Disclosure to NARA as a record having sufficient historical value to warrant its continued preservation or for evaluation by the Archivist to determine whether the record has such value.

TWELVE EXCEPTIONS

- (b)(7) – For civil or criminal law enforcement activity
- (b)(8) – Compelling circumstances concerning health and safety of an individual
- (b)(9) – House of Congress [Not Congress person seeking information on behalf of constituent]

TWELVE EXCEPTIONS

- (b)(10) – Comptroller General in performance of duties of the GAO
- (b)(11) – Pursuant to the order of a court of competent jurisdiction
- (b)(12) – To a consumer reporting agency in accordance with the Debt Collection Act

DISCLOSURE ACCOUNTING

- Must be made for disclosures made under exceptions (b)(3) through (b)(12)
  - None needed for Need to Know (b)(1)
  - None needed for FOIA releases (b)(2)
- Must reflect date, nature, and purpose of disclosure
- Must reflect name and address of person/agency disclosure was made
- Accounting retained for at least 5 years or the life of the record, whichever is longer

DISCLOSURE ACCOUNTING

- Accounting is made available to requester, except in cases of civil or criminal law enforcement
- Any correction or notation of dispute by the agency is provided to the agency if an accounting of disclosure is made